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May 12, 2006

VIA HAND DELIVERY

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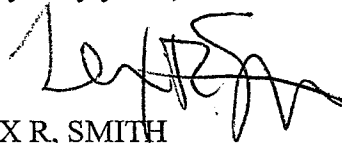
Re: Berry v. Hawaiian Express Services, Inc.

Dear Mr. Hogan:

Pursuant to Fed. R. Civ. P. 11(c)(1)(A), this is to notify you that the motion for sanctions you have signed and filed is frivolous.

Served herewith is my motion for sanctions pursuant to Rule 11. If you fail to withdraw your motion for recusal, the enclosed motion for sanctions will be filed as provided by the rules.

Very truly yours,



LEX R. SMITH
for
KOBAYASHI, SUGITA & GODA

LRS/bls
Enclosure as stated

EXHIBIT A